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GOVERNMENT OF INDIA
MINISTRY OF LABOUR
ORDER

New Delhi, Dated the 28th September 1949

No. LR.2(212).—Whereas an industrial dispute arose in about June 1949 and still exists between the banking companies mentioned in Schedule I annexed here (including their branches) and their employees in respect, so far as the Central Government is aware, of the matters specified in Schedule II hereto annexed;

And whereas the Central Government considers it desirable to refer the dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government is pleased to refer the said dispute for adjudication to the Industrial Tribunal constituted under section 7 of the said Act by Notification of the Government of India in the Ministry of Labour No. LR-2(205), dated the 18th June 1949, as amended from time to time.

SCHEDULE I

(List of scheduled banks having branches in more than one Province).

GROUP A.—(ii) EXCHANGE BANKS.

1. American Express Company Inc.

(List of non-scheduled banks having branches in more than one Province).

GROUP A.—BANKS WORKING NORMALLY.

1. Palli Bank Ltd., Daulatpur, East Pakistan.

2. Shree Bharat Industrial Bank Ltd., Calcutta.

3. Sunrise Bank Ltd., Agartala, Tripura State.

GROUP B.—BANKS WHICH ARE WORKING UNDER SCHEME OF ARRANGEMENT OR ARE IN LIQUIDATION, ETC.

1. Allied Exchange Bank Ltd., Calcutta.—Gone into liquidation.

2. Bank of Calcutta Ltd., Calcutta.—Gone into liquidation.

3. Bharati Central Bank Ltd., Calcutta.—Gone into liquidation.

4. Bogra City Bank Ltd., Calcutta.—Gone into liquidation.

5. Calcutta City Bank Ltd., Calcutta.—Gone into liquidation.

6. Calcutta Industrial Bank Ltd., Calcutta.—Gone into liquidation.

7. Central Commercial Bank Ltd., Calcutta.—Gone into liquidation.

8. Continental Bank of Asia Ltd., Calcutta.—Gone into liquidation.
9. Darjeeling Bank Ltd., Calcutta.—Gone into liquidation.
10. Eastern Continental Bank Ltd., Calcutta.—Gone into liquidation.
11. Economic Bank Ltd., Calcutta.—Gone into liquidation.
12. East India Commercial Bank Ltd., Calcutta.—Working under scheme of arrangement.
13. First National Bank Ltd., Ludhiana.—Working under scheme of arrangement.
14. Great Eastern Bank Ltd., Calcutta.—Gone into liquidation.
15. Hindustan Industrial Bank Ltd., Calcutta.—Gone into liquidation.
16. Hindustan Standard Bank Ltd., Calcutta.—Gone into liquidation.
17. India Exchange Bank Ltd., Calcutta.—Gone into liquidation.
18. Indian Peoples' Bank Ltd., Calcutta.—Gone into liquidation.
19. Kuver Bank Ltd., Calcutta.—Gone into liquidation.
20. Mandi Bank Ltd., Lahore—In liquidation.
21. New National Bank Ltd., Calcutta.—Gone into liquidation.
22. New Hindustan Bank Ltd., Amritsar.—Gone into liquidation.
23. National Security Bank Ltd., Bombay.—Gone into liquidation.
24. Pacific Bank Ltd., Calcutta.—Gone into liquidation.
25. Pioneer Commercial Bank Ltd., Calcutta.—Gone into liquidation.
26. Puri Bank Ltd., Puri.—Gone into liquidation.
27. Radiant Bank Ltd., Comilla, East Pakistan.—Working under scheme of arrangement.
28. Sree Luxmi Bank Ltd., Karimganj.—Gone into liquidation.
29. Surma Valley Bank Ltd., Sylhet.—Working under schemes of arrangement.
30. Standard Bank Ltd., Sylhet.—Present position not known.
31. Tripura Popular Bank Ltd., Calcutta.—Gone into liquidation.

SCHEDULE II

1. Scales of pay, including

- (a) whether the remuneration of employees and their periodical increments should be correlated to their efficiency and attendance and
- (b) whether, if basic scales are recommended, such scales of pay of particular categories should be uniform all over India and whether the differences in the cost of living of the various centres should be adjusted by the grant of compensatory allowances.

2. Rules for fitting the existing staff into the revised scales of pay.

3. Dearness allowance to staff as well as pensioners. Can a portion of the dearness allowance be transferred to, and absorbed in, the basic wage? In particular can this be done in the case of banks in the United Provinces in respect of the allowance payable at the commencement of Shri B. B. Singh's award?

4. House rent allowance. If this allowance is payable, should it be paid to all employees falling under the category of workmen?

5. Other allowances payable, for example, children's allowance, conveyance allowance for clerks for journeys to and from the clearing house, outstation allowance to members of the Cash Department going out with cash.

6. Bonus, including the qualifications for eligibility and method of payment.
7. Provident fund, including the rate of contribution and the rate of interest.
8. Gratuity, including whether it should be compulsory or *ex-gratia*? Does the scheme recommended by Shri B. B. Singh for the United Provinces in his award need revision?
9. Pension, including the question whether any pension scheme should be introduced in banks having Provident Fund and/or Gratuity Schemes.
10. Guarantee Fund.
11. Insurance against old age, sickness, death or injury from accidents in the course of the discharge of duties.
12. Leave Rules.
13. Hours of work and overtime.
14. Medical aid and expenses.
15. Cash deposits, fidelity bonds and other securities to be furnished by staff, including the questions
 - (a) whether failure to furnish such security should operate as a ban on confirmation, and
 - (b) whether the scheme of security and guarantee introduced by the Punjab National Bank Ltd., is suitable.
16. Recognition of (1) The Punjab National Bank Employees' Union (East Punjab), (ii) The Bharat Bank Employees' Union, Delhi, (iii) The United Provinces Bank Employees' Unions.
17. Method of recruitment, terms and conditions of service and procedure for termination of employment or for taking other disciplinary action.
18. Retrenchment and victimisation (Specific cases to be cited by employees).
19. Payment of workers reinstated under item 18.
20. Whether income and professional taxes payable by employees should be paid on their behalf by banks?
21. Utilization of proceeds from fines.
22. Subsistence allowance during periods of suspension.
23. Whether head cashiers' or treasurers' representatives or any employees who perform their functions are to be treated as Departmental Incharges.
24. Waiving of age restrictions for promotion to supervisory grades.
25. Policy regarding transfer of employees.
26. Travelling allowance and joining time on transfer.
27. Whether cash compensation is payable to employees of branches situated in Pakistan who have had to come away to India and have not been employed in the Branches in India.
28. Should bank pensioners be entitled to accept employment after retirement with or without the permission of the banks from which they draw their pensions?
29. Return of quarters to peons, etc. of Bharat Bank Ltd., Delhi, who were deprived of quarters after the strike in December 1948.
30. Right to existing terms of service where they are more liberal than those of the awards of this Tribunal.
31. Rules regarding promotions.
32. Works Committees—Should they be established or not?

33. Should banks be classified into different categories for the purposes of this adjudication and if so, on what lines?
34. How should branch offices be classified, having regard to the extent of their business?
35. Should shops and commercial establishments acts and similar provincial enactments apply to all banks without exception?
36. Standing Orders regulating the conditions of service of bank employees and the procedure in making amendments to them.
37. Categories of employees to whom the award of the Tribunal is applicable.
38. In what manner and to what extent do the decisions of the Tribunal require modification in the case of employees of banks under liquidation or moratorium?

NOTE.—This list is not intended to be exhaustive.

N. C. KUPPUSWAMI, Under Secy.